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JC962 U.S. PTO

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10/016187

TRANSMITTAL FOR U.S. PATENT APPLICATION  
UNDER 37 CFR §1.53(b)

**Box Patent Application**  
ASSISTANT COMMISSIONER  
OF PATENTS  
P. O. Box 2327  
Arlington, VA 22202

Attorney's Docket: 090936.0432

Sir:

Transmitted herewith for filing is the original patent application of:

**Inventors:** David John McComas

**For:** PARTICLE COUNTING WITH ENHANCED PARTICLE FLUX  
RANGE

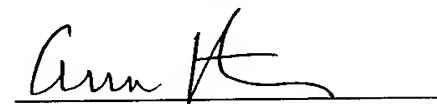
Enclosed are:

- (1) 17 pages of Specification, Claims and Abstract;
- (2) 3 pages of Executed Declaration and Power of Attorney;
- (3) 1 page of Formal Drawings;
- (4) 1 page executed Verified Statement Claiming Small Entity Status under 37 C.F.R. §§ 1.9(f) and .1.27(c) Small Business Concern;
- (5) 2 pages of an Assignment of the invention to Southwest Research Institute;
- (6) 1 pages of a separate cover sheet in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h);
- (7) 3 pages Information Disclosure Statement (2 pages) with PTO-1449 Form (1 page) & attached references Acco bound (7 references);
- (8) 1 Non-Publication Request Under 35 U.S.C. 122(b)(2)(B)(i);
- (9) 1 page Certificate of Mailing by Express Mail; and
- (10) This Transmittal Form with attached patent application filing fee in the amount of \$379.00.

FEE CALCULATION					FEE
	Number		Number Extra	Rate	Basic Fee \$370.00
Total Claims	21	20	1	X \$ 9 =	9.00
Independent Claims	3	3	0	X \$40 =	0.00
TOTAL FILING FEE =					\$379.00

Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P. A duplicate copy of this sheet is enclosed.

BAKER BOTTS L.L.P.  
Attorneys for Applicants



Ann C. Livingston  
Registration No. 32,479

Date: 12/12/01

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<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor	David John McComas
Title	Particle Counting with Enhanced Particle Flux Range		
Atty Docket Number		090936.0432	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

BAKER BOTTS L.L.P.  
Attorneys for Applicants

12/12/01  
Date

  
Signature

Ann C. Livingston

Typed or printed name  
Reg No. 32,479

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David John McComas  
Date Filed: December 12, 2001  
Title: PARTICLE COUNTING WITH ENHANCED  
PARTICLE FLUX RANGE

Box Patent Application  
Honorable Assistant Commissioner  
of Patents  
P. O. Box 2327  
Arlington, Virginia 22202

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Transmittal, Patent Application, Verified Statement Claiming Small Entity Status, Non-Publication Request, Declaration and Power of Attorney, Formal Drawings, Assignment and PTO-1595 Assignment Recordation Coversheet and Information Disclosure Statement and PTO-1449 with references are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on this 12th day of December, 2001, and is addressed to the Assistant Commissioner of Patents, Box Patent Applications, P. O. Box 2327, Arlington, Virginia 22202.

  
Amy Rueff

Express Mail Receipt  
No. EL740053385US  
Attorney's Docket:  
090936.0432